

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84970**RECEIVED****JUN 21 2021**

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) ELLSWORTH ENTERPRISES

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A *Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

RECEIVED

JUN 21 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant ELLSWORTH ENTERPRISESPhone 284-2900
(208) ~~338-1001~~Mailing Address PO BOX 668, BOISE ID 83701

Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____

Phone _____

Mailing Address _____

Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.

OR

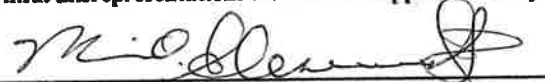
- ☐ Send original correspondence to the applicant and copies to the representative.

- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Maurice O. Ellsworth
Print Name and Title if applicable
P/R of Gen Partner

6/14/2021
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-733	No	No	Yes	No	No	No
	37-735	No	No	Yes	No	No	No
	37-737A	No	No	Yes	No	No	No
	37-752	No	No	Yes	No	No	No
	37-756	No	No	Yes	No	No	No
	37-767	No	No	Yes	No	No	No
	37-769	No	No	Yes	No	No	No
	37-770C	No	No	Yes	No	No	No
	37-771	No	No	Yes	No	No	No
	37-1181	No	No	Yes	No	No	No
	37-2031	No	No	Yes	No	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application proposes to rearrange water right acres to match current irrigation practices.

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-733	0.230 cfs	N/A	11.3	663.5		N/A	N/A	N/A	N/A
37-735	0.230 cfs	N/A	11.3	663.5		N/A	N/A	N/A	N/A
37-737A	0.700 cfs	N/A	35.0	663.5		N/A	N/A	N/A	N/A
37-752	0.230 cfs	N/A	11.3	663.5		N/A	N/A	N/A	N/A
37-756	0.230 cfs	N/A	11.3	663.5		N/A	N/A	N/A	N/A
37-767	1.000 cfs	N/A	120.0	663.5		N/A	N/A	N/A	N/A
37-769	2.300 cfs	N/A	189.0	663.5		N/A	N/A	N/A	N/A
37-770C	2.500 cfs	N/A	125.0	663.5		N/A	N/A	N/A	N/A
37-771	0.100 cfs	N/A	80.0	663.5		N/A	N/A	N/A	N/A
37-1181	1.100 cfs	N/A	80.0	663.5		N/A	N/A	N/A	N/A
37-2031	3.200 cfs	N/A	165.0	663.5		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

11.820 cfs N/A N/A 663.5 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 11.82 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)

☒ As shown in Part 1.

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

☐ No changes to place of use are proposed. (Proceed to #5.)

☒ As shown in Part 1.

☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-733

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.225 CFS	
Total Diversion			0.230 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0									35.0				75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 11.3
POU Total Acres: 663.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-735

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.225 CFS	
Total Diversion			0.230 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0									35.0				75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 11.3
POU Total Acres: 663.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-737A

Current Water Right Owner

ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.700 CFS	
Total Diversion			0.700 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0									35.0				75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 35.0

POU Total Acres: 663.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-752

Current Water Right Owner

ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.225 CFS	
Total Diversion			0.230 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0													75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 11.3
POU Total Acres: 663.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-756

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.225 CFS	
Total Diversion			0.230 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0									35.0				75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 11.3
POU Total Acres: 663.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-767

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 4/30/1904

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	1.000 CFS	
Total Diversion			1.000 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0									35.0				75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 120.0

POU Total Acres: 663.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-769

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK Tributary: LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	2.300 CFS	
Total Diversion			2.300 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0									35.0				75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 189.0
POU Total Acres: 663.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-770C

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	2.500 CFS	
Total Diversion			2.500 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0									35.0				75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 125.0
POU Total Acres: 663.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-771

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 6/1/1898

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.100 CFS	
Total Diversion			0.100 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0													75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 80.0
POU Total Acres: 663.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-1181

Current Water Right Owner

ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 6/10/1910

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	1.100 CFS	
Total Diversion			1.100 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0									35.0				75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 80.0
POU Total Acres: 663.5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-2031

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 158
CAREY, ID 83320

Priority Date: 1/17/1906

Origin: Water Right

Basis: Decreed

Status Active

Source: ROAD CANYON **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	3.200 CFS	
Total Diversion			3.200 CFS	

Source and Point(s) of Diversion:

ROAD CANYON	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County
ROAD CANYON	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	25.0		27.0	34.0			6.8	0.5			3.9		37.0	23.0	13.0	36.0	206.2
01S	21E	13	40.0	40.0	40.0		6.3	40.0	38.0	36.0	38.0	38.0				35.0			351.3
01S	21E	14				40.0									35.0				75.0
01S	22E	18						31.0											31.0
								L 1											

Right Acre Limit: 165.0
POU Total Acres: 663.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future

- b. Who owns the property at the point(s) of diversion

Applicant: The Nature Conservancy

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Easement

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ If Yes, ☐

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Ground water was moved from will no longer be irrigated.

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

All water rights used on property are included in this transfer.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐
☐
☐
☐

☒
☒
☒
☒

undergone a period of five or more consecutive years of non-use,
currently leased to the Water Supply Bank,
currently used in a mitigation plan limiting the use of water under the right, or
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-733

Current Water Right Owner

ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.225 CFS	
Total Diversion			0.230 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0
								L 1											

Right Acre Limit: 11.3

POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Fish Creek Reservoir Co.
3. Water is delivered from Fish Creek through the Highline Canal.
4. This right is limited to the irrigation of 11.25 acres within the place of use described above in a single irrigation season.
5. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.
6. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, and 37-770C are limited to the irrigation of a combined total of 201.3 acres in a single irrigation season.
7. Point of injection into and point of redirection from the unnamed stream channel from Road Canyon.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-735

Current Water Right Owner

ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK Tributary: LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.225 CFS	
Total Diversion			0.230 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0
								L 1											

Right Acre Limit: 11.3
POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Fish Creek Reservoir Co.
3. Water is delivered from Fish Creek through the Highline Canal.
4. This right is limited to the irrigation of 11.25 acres within the place of use described above in a single irrigation season.
5. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.
6. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, and 37-770C are limited to the irrigation of a combined total of 201.3 acres in a single irrigation season.
7. Point of injection into and point of redirection from the unnamed stream channel from Road Canyon.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-737A

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK Tributary: LITTLE WOOD RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/15	10/31	0.700 CFS	
Total Diversion			0.700 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0
								L 1											

Right Acre Limit: 35.0
POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Fish Creek Reservoir Co.
3. Water is delivered from Fish Creek through the Highline Canal.
4. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.
5. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, and 37-770C are limited to the irrigation of a combined total of 201.3 acres in a single irrigation season.
6. Point of injection into and point of redirection from the unnamed stream channel from Road Canyon.
7. This right is limited to the irrigation of 35.0 acres within the place of use described above in a single irrigation season.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-752

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK Tributary: LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.225 CFS	
Total Diversion			0.230 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0
								L 1											

Right Acre Limit: 11.3

POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Fish Creek Reservoir Co.
3. Water is delivered from Fish Creek through the Highline Canal.
4. This right is limited to the irrigation of 11.25 acres within the place of use described above in a single irrigation season.
5. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.
6. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, and 37-770C are limited to the irrigation of a combined total of 201.3 acres in a single irrigation season.
7. Point of injection into and point of rediversion from the unnamed stream channel from Road Canyon.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 37-756

Current Water Right Owner
 ELLSWORTH
 ENTERPRISES
 PO BOX 668
 BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK Tributary: LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.225 CFS	
Total Diversion			0.230 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0

Right Acre Limit: 11.3

POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Fish Creek Reservoir Co.
3. Water is delivered from Fish Creek through the Highline Canal.
4. This right is limited to the irrigation of 11.25 acres within the place of use described above in a single irrigation season.
5. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.
6. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, and 37-770C are limited to the irrigation of a combined total of 201.3 acres in a single irrigation season.
7. Point of injection into and point of rediversion from the unnamed stream channel from Road Canyon.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-767

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 4/30/1904

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK Tributary: LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	1.000 CFS	
Total Diversion			1.000 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0
								L 1											

Right Acre Limit: 120.0
POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Fish Creek Reservoir Co.
3. Water is delivered from Fish Creek through the Highline Canal.
4. This right is limited to the irrigation of 120.0 acres within the place of use described above in a single irrigation season.
5. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.
6. Point of injection into and point of rediversion from the unnamed stream channel from Road Canyon.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-769

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK Tributary: LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	2.300 CFS	
Total Diversion			2.300 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0
								L 1											

Right Acre Limit: 189.0

POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Fish Creek Reservoir Co.
3. Water is delivered from Fish Creek through the Highline Canal.
4. This right is limited to the irrigation of 189.0 acres within the place of use described above in a single irrigation season.
5. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.
6. Point of injection into and point of redirection from the unnamed stream channel from Road Canyon.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-770C

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	2.500 CFS	
Total Diversion			2.500 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0
								L 1											

Right Acre Limit: 125.0

POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. This right represents a combination of old water right records 37-770A and 37-770B.
3. Use of this right is combined with water from Fish Creek Reservoir Co.
4. Water is delivered from Fish Creek through the Highline Canal.
5. This right is limited to the irrigation of 125.0 acres within the place of use described above in a single irrigation season.
6. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.
7. Point of injection into and point of redirection from the unnamed stream channel from Road Canyon.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-771

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 6/1/1898

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.100 CFS	
Total Diversion			0.100 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0
								L 1											

Right Acre Limit: 80.0
POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Fish Creek Reservoir Co.
3. Water is delivered from Fish Creek through the Highline Canal.
4. This right is limited to the irrigation of 80.0 acres within the place of use described above in a single irrigation season.
5. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.
6. Right Nos. 37-771 and 37-1181 are limited to the irrigation of a combined total of 80.0 acres in a single irrigation season.
7. Point of injection into and point of rediversion from the unnamed stream channel from Road Canyon.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-1181

Current Water Right Owner
ELLSWORTH
ENTERPRISES
PO BOX 668
BOISE, ID 83701

Priority Date: 6/10/1910

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	1.100 CFS	
Total Diversion			1.100 CFS	

Source and Point(s) of Diversion:

FISH CREEK	SWNENW	Sec. 12 Twp 01S Rge 21E BLAINE County (I)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	NWSENW	Sec. 12 Twp 01S Rge 21E BLAINE County (R)
FISH CREEK	SENESE	Sec. 33 Twp 01N Rge 22E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0
								L 1											

Right Acre Limit: 80.0

POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Fish Creek Reservoir Co.
3. Water is delivered from Fish Creek through the Highline Canal.
4. This right is limited to the irrigation of 80.0 acres within the place of use described above in a single irrigation season.
5. Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.
6. Right Nos. 37-771 and 37-1181 are limited to the irrigation of a combined total of 80.0 acres in a single irrigation season.
7. Point of injection into and point of rediversion from the unnamed stream channel from Road Canyon.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-2031

Current Water Right Owner

ELLSWORTH
ENTERPRISES
PO BOX 158
CAREY, ID 83320

Priority Date: 1/17/1906

Origin: Water Right

Basis: Decreed

Status: Active

Source: ROAD CANYON

Tributary: SINKS

Beneficial Use

IRRIGATION

From

04/15

To

10/31

Diversion Rate

3.200 CFS

Subuse Code

Total Diversion

3.200 CFS

Source and Point(s) of Diversion:

ROAD CANYON

NWSENW

Sec. 12 Twp 01S Rge 21E BLAINE County

ROAD CANYON

NWSENW

Sec. 12 Twp 01S Rge 21E BLAINE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	26.0		34.0	39.0			6.8	0.8			2.7		37.0	31.0	22.0	37.0	236.3
01S	21E	13	40.0	35.0	39.0		5.2	34.0	40.0	27.0	36.0	38.0				33.0			327.2
01S	21E	14				40.0									38.0				78.0
01S	22E	18						22.0											22.0
								L 1											

Right Acre Limit: 165.0

POU Total Acres: 663.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Fish Creek Reservoir Co.
3. This right is limited to the irrigation of 165.0 acres within the place of use described above in a single irrigation season.
4. The rights listed below are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season. Combined Right Nos.: 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**. If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

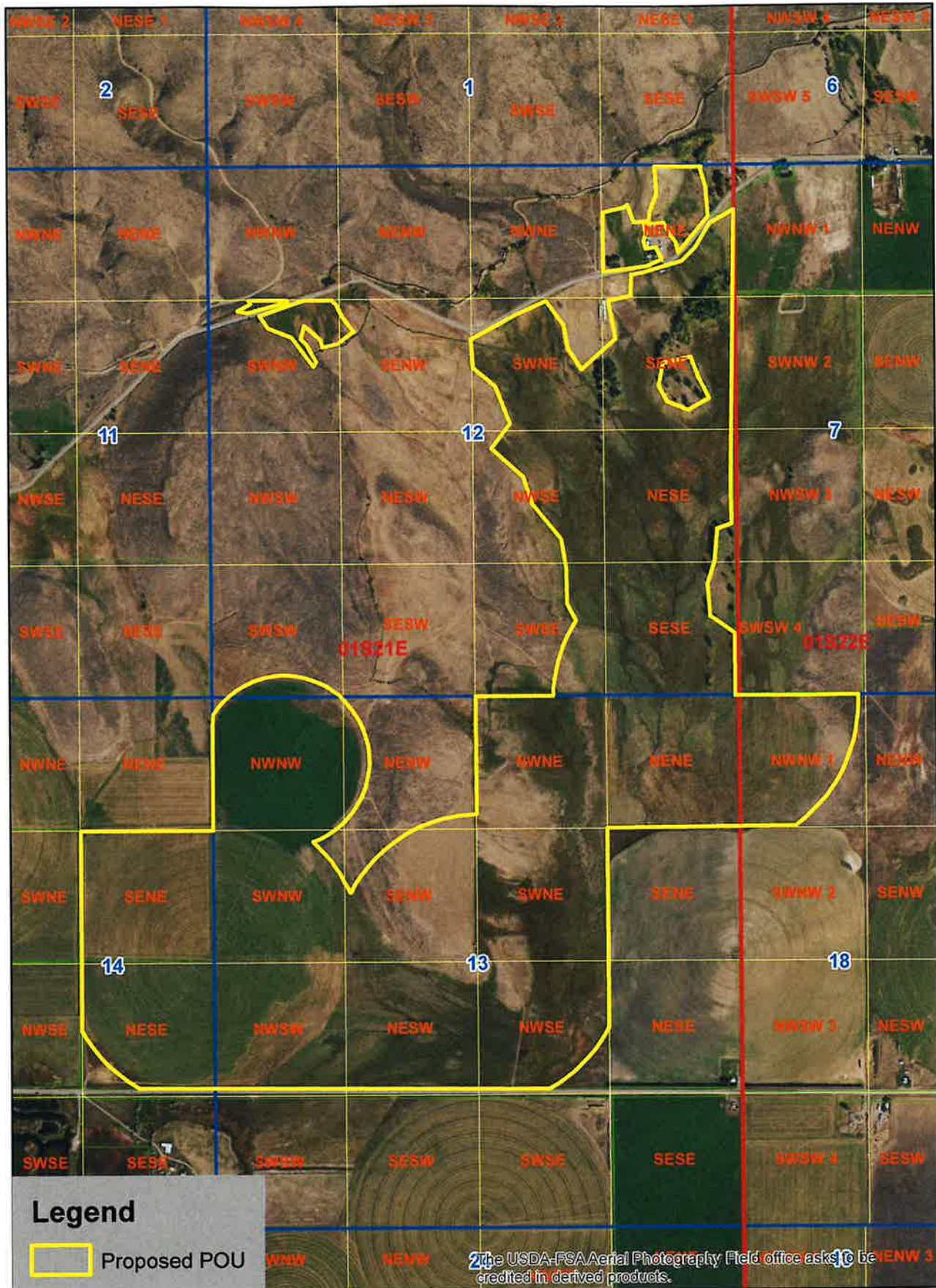
☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:_____

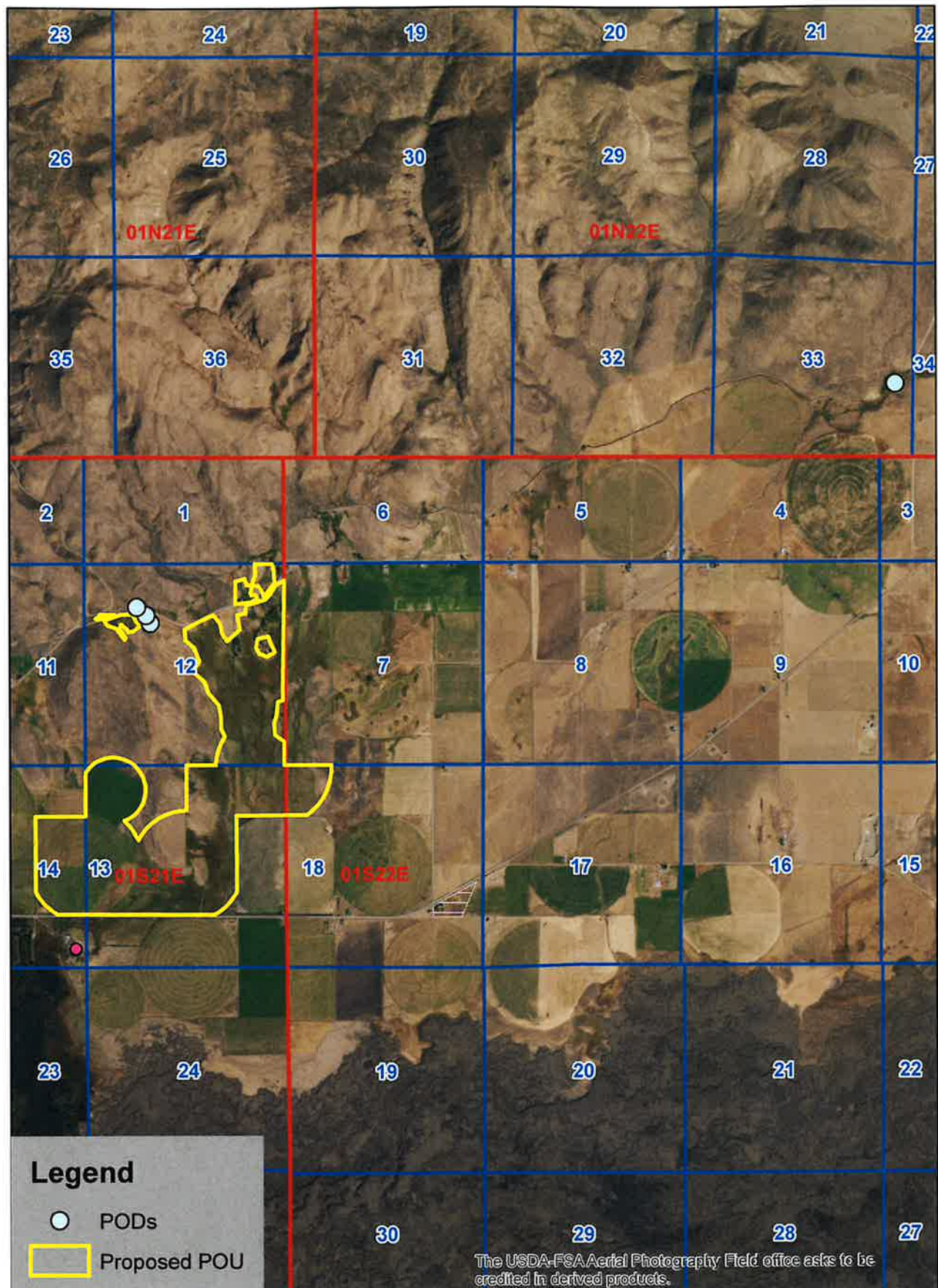
This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. On the left side, there is a vertical margin line, creating a narrow left margin. The paper appears to be from a notebook or a standard ruled document.

Received By	Date	Prelim. Check By	Date
Fee Paid	\$420.00	Date	6/21/21
Add'l Fee Paid		Received By	SG
		Receipt #	5038645

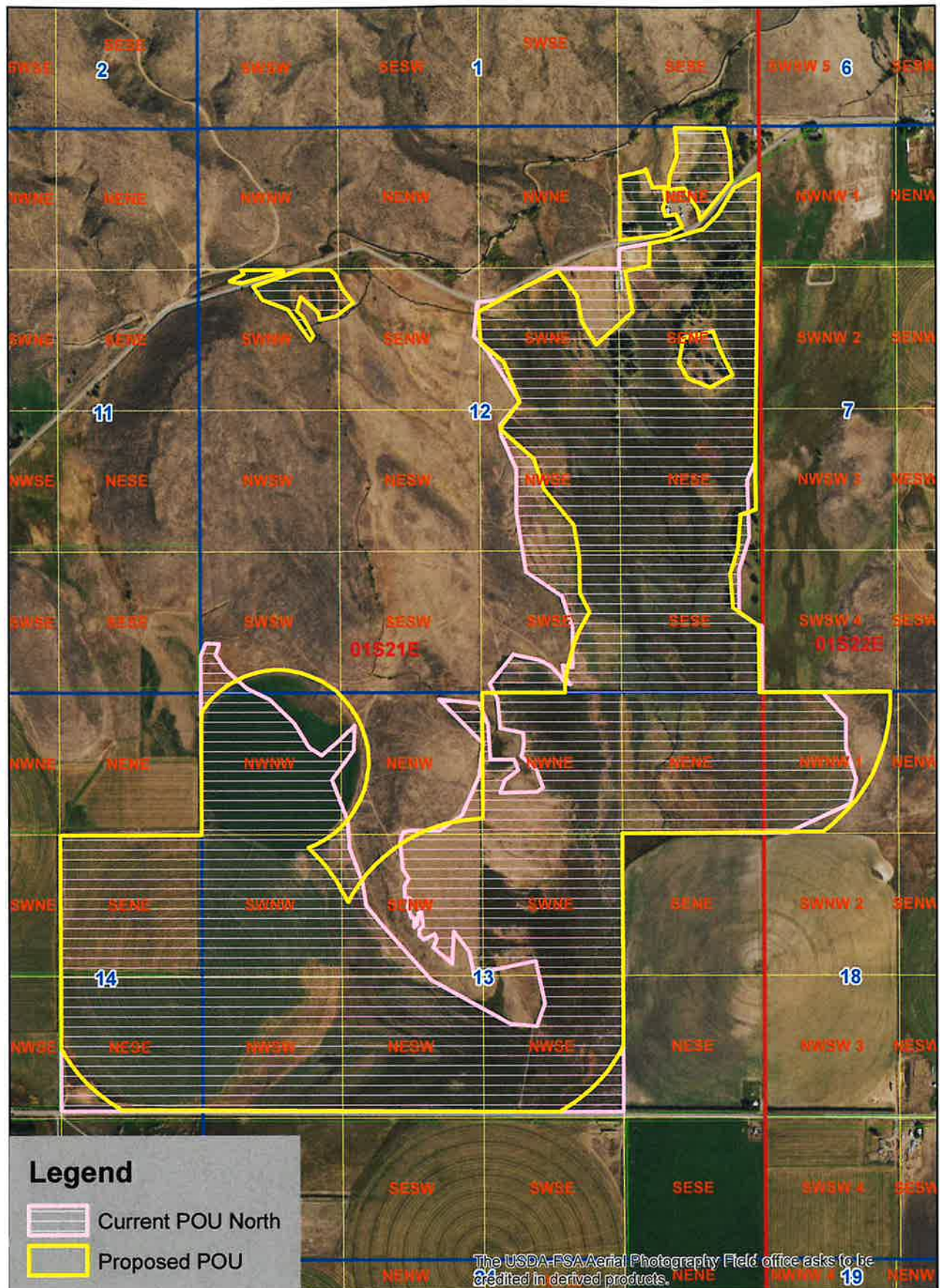
Attachment 7A(1): Proposed POU



Attachment 7A(2): Proposed POU & PODs



Attachment B: Proposed POU & Current POU





0004084119



STATE OF IDAHO
Office of the secretary of state, Lawrence Denney
ANNUAL REPORT
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0004084119

Date Filed: 12/3/2020 9:19:04 AM

B0557-1647 12/03/2020 9:19 AM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:					
Entity Name:	ELLSWORTH ENTERPRISES, L.P.				
The file number of this entity on the records of the Idaho Secretary of State is:	0000028888				
Address	PO BOX 668 BOISE, ID 83701-0668				
Entity Details:					
Entity Status	Active-Current				
This entity is organized under the laws of:	IDAHO				
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	L4977				
The registered agent on record is:					
Registered Agent	MAURICE O ELLSWORTH Registered Agent Physical Address 5287 S FARMHOUSE PLACE BOISE, ID 83716 Mailing Address				
Limited Partnership General Partners					
<table border="1"><thead><tr><th>Name</th><th>Business Address</th></tr></thead><tbody><tr><td> Estate of Maurice C Ellsworth, Deceased</td><td>MAURICE O ELLSWORTH, P/R P O BOX 668 BOISE, ID 83701</td></tr></tbody></table>		Name	Business Address	Estate of Maurice C Ellsworth, Deceased	MAURICE O ELLSWORTH, P/R P O BOX 668 BOISE, ID 83701
Name	Business Address				
Estate of Maurice C Ellsworth, Deceased	MAURICE O ELLSWORTH, P/R P O BOX 668 BOISE, ID 83701				
The annual report must be signed by an authorized signer of the entity.					
<u>Maurice O Ellsworth</u> Sign Here	<u>12/03/2020</u> Date				
Job Title: General Partner's Personal Representative					



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 1, 2021

ELLSWORTH ENTERPRISES
MAURICE C ELLSWORTH, C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701-0668

RE: Transfer No. 84970
Water Right No(s). 37-1181, 37-2031, 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767,
37-769, 37-770C, 37-771

RE: Transfer No. 84984
Water Right No(s). 37-2443, 37-738, 37-749C

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** on **7/7/2021** and **7/14/2021**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **July 26, 2021**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 1, 2021

WATER DISTRICT 37N
BRYAN WOOD
PO BOX 15
CAREY ID 83320-0015

RE: Transfer No(s). 84970 & 84984 (Ellsworth)

Dear Bryan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 1, 2021

WATER DISTRICT 37U
JERRY WEAVER
PO BOX 186
CAREY ID 83320-0186

RE: Transfer No(s). 84970 & 84984 (Ellsworth)

Dear Jerry:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, July 1, 2021 11:20 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.docx

Attached please find (1) legal notice being submitted for publication on July 7th & 14th, 2021. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Gary Spackman
Director

July 2, 2021

LEGAL NOTICE DEPARTMENT

IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 84970

Water Right No(s). 37-1181, 37-2031, 37-733, 37-735, 37-737A, 37-752, 37-756,
37-767, 37-769, 37-770C, 37-771

RE: Transfer No. 84984

Water Right No(s). 37-2443, 37-738, 37-749C

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before July 26, 2021. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84970**

ELLSWORTH ENTERPRISES, PO BOX 668, BOISE, ID 83701-0668 has filed Application No. 84970 for changes to the following water rights within BLAINE County(s): Right No(s). 37-1181, 37-2031, 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres in the place of use (POU) for 10 Fish Creek irrigation water rights and 1 Road Canyon irrigation water right. All eleven rights when combined are limited to the irrigation of 663.5 acres. All water rights when combined can provide a diversion rate of up to 11.82 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 2.2 to 4.0 miles north and 1.1 to 2.7 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84984**

MAURICE C ELLSWORTH, C/O MAURY ELLSWORTH, PO BOX 668, BOISE, ID 83701-0668 has filed Application No. 84984 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2443, 37-738, 37-749C. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres in the place of use (POU) for 2 Fish Creek irrigation water rights and 1 spring irrigation water right. All three rights when combined are limited to the irrigation of 287.5 acres. All water rights when combined can provide a diversion rate of up to 7.2 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 1.5 to 2.3 miles north and 1.4 to 2.5 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **July 26, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on July 7th & 14th, 2021

MEMORANDUM

Date: June 22, 2021
To: Transfer 84970
From: Bill Mills
Re: Transfer Proposal

Application proposes rearranging acres in the place of use (POU) for 10 Fish Creek irrigation water rights and 1 Road Canyon irrigation water right. All eleven rights when combined are limited to the irrigation of 663.5 acres. All water rights when combined can provide a diversion rate of up to 11.82 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 2.2 to 4.0 miles north and 1.1 to 2.7 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

The ten Fish Creek water rights are administered by Water District 37U – Fish Creek and the one Road Canyon water right is administered by Water District 37N – Upper Little Wood River. Watermaster comments will be solicited.

MEMORANDUM

Date: June 22, 2021
To: Transfer 84970 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #84970 are based on the percentage of each water right in the transfer application that could be moved to the proposed new acres. The analysis of all eleven water rights indicated that a total of 4.33 cfs could be moved to new ground, resulting in a fee of \$820.00 (Receipt No. S038645).